

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

**DIRECT REPLY TO:**

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<http://www.jpml.uscourts.gov>

April 5, 2006

Loretta G. Whyte, Clerk  
U.S. District Court  
500 Poydras Street  
Room C-151  
New Orleans, LA 70130

Re: MDL-1657 -- In re Vioxx Marketing, Sales Practices and Products Liability Litigation

*Manuel Chavez, et al. v. Merck & Co., Inc., et al.*, E.D. California, C.A. No. 2:06-324

*Frank Detorie, et al. v. Merck & Co., Inc., et al.*, D. Rhode Island, C.A. No. 1:06-65

Dear Ms. Whyte:

A conditional transfer order was filed in the above matter on March 2, 2006. Prior to the expiration of that order's fifteen-day stay, opposition to the proposed transfer was filed and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), the conditional transfer order was stayed until further order of the Panel. The opposition has now been withdrawn and I am therefore enclosing a certified copy and one additional copy of today's order lifting the stay of the conditional transfer order and transferring the action to your district pursuant to 28 U.S.C. § 1407. The order is directed to you for filing.

**The Panel has ordered that its Rule 1.6(a), pertaining to transfer of files, be suspended for purposes of this litigation. Accordingly, the transferee district clerk shall request, and the transferor district clerk shall forward, only those files deemed necessary by the transferee district court.**

A list of involved counsel is attached.

Very truly,

Michael J. Beck  
Clerk of the Panel

By 

Deputy Clerk

Enclosures

cc: Transferee Judge: Judge Eldon E. Fallon  
Transferor Judges: Judge David F. Levi, Ernest C. Torres  
Transferor Clerks: David A. DiMarzio, Jack L. Wagner

JPML Form 68a

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

APR - 5 2006

FILED  
CLERK'S OFFICE

**DOCKET NO. 1657**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION**

*Manuel Chavez, et al. v. Merck & Co., Inc., et al.*, E.D. California, C.A. No. 2:06-324

*Frank Detorie, et al. v. Merck & Co., Inc., et al.*, D. Rhode Island, C.A. No. 1:06-65

**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER**

A conditional transfer order was filed in these two actions (*Chavez* and *Detorie*) on March 2, 2006. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in *Chavez* and *Detorie* filed notices of opposition to the proposed transfer. Plaintiffs subsequently failed to file the required motions and briefs to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-43" filed on March 2, 2006, is LIFTED insofar as it relates to these two actions, and thus the actions are transferred to the Eastern District of Louisiana for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Eldon E. Fallon.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck  
Clerk of the Panel

**INVOLVED COUNSEL LIST**  
**DOCKET NO.1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

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